

H-1B SPECIALTY OCCUPATION WORKERS

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employment-based
immigration services.**

The H-1B category allows foreign nationals to work temporarily in a specialty occupation in the United States. For most employers, it is the visa of choice.

What jobs qualify?

The job must be a specialty occupation. A specialty occupation meets one of the following standards:

1. the position requires at least a bachelor's degree or its foreign equivalent;
2. the bachelor's degree requirement is common to the industry;
3. the position is so complex that it requires a bachelor's degree; *or*
4. the duties are so specialized and complex that knowledge required to perform them is usually associated with a bachelor's degree.

What foreign workers qualify?

The foreign worker must meet one of the following criteria:

1. hold a U.S. bachelor's degree or higher in the field;
2. hold a foreign degree equivalent to a U.S. bachelor's degree or higher in the field;
3. hold an unrestricted state license or certification that authorizes the foreign worker to fully and immediately engage in the occupation; *or*
4. Have education and experience equivalent to a U.S. bachelor's degree or higher and have recognition of expertise in the field.

How long may a foreign national work in the U.S. on an H-1B visa?

H-1Bs are valid for an initial period of 3 years and are extendable to a maximum of 6 years. In some circumstances, H-1Bs may be extended even longer.

What is the cost to sponsor a foreign worker for an H-1B visa?

The H-1B has three associated filing fees. Some employers may be exempt from some or all fees associated with H-1B sponsorship.

- \$320 petition filing fee, *plus*
- \$500 fraud prevention fee, *plus*
- \$1,500 training fee for employers with 25 or more employees, *or*
- \$750 training fee for employers with fewer than 25 employees.

Note: A \$1,000 premium processing fee will result in government action on the petition in 15 days.

**For more information,
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